



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105

June 3, 2015

Ms. Edythe Seehafer  
West Mojave Project Manager  
Bureau of Land Management  
Attn: WMRNP Plan Amendment  
California Desert District Office  
22835 Calle San Juan de Los Lagos  
Moreno Valley, California 92553

Subject: Draft West Mojave Route Network Project and Supplemental Environmental Impact Statement, Inyo, Kern, Los Angeles, Riverside, and San Bernardino Counties, California (CEQ # 20150051)

Dear Ms. Seehafer:

The U.S. Environmental Protection Agency has reviewed the West Mojave Route Network Project and Draft Supplemental Environmental Impact Statement (Draft SEIS) pursuant to the National Environmental Policy Act, Council on Environmental Quality regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act.

The EPA reviewed the West Mojave Plan DEIS and submitted comments to the BLM on September 3, 2003. We rated the DEIS as *Environmental Concerns – Insufficient Information* (EC-2) (see the enclosed "Summary of EPA Rating Definitions"), and recommended that the BLM consider adding several mitigation measures to the preferred alternative to more fully protect resources. We subsequently reviewed and provided comments on the FEIS on May 2, 2005. In our comment letter for the FEIS, we commended the BLM for including several additional, or strengthened, mitigation measures. We continued to recommend, however, additional protective measures for sensitive species, particularly the desert tortoise.

Based on our review of the Draft SEIS, we have rated the Preferred Alternative (Alternative 3 – Public Lands Access) and the document as EC-2. We commend the BLM for the additional mitigation measures proposed in the Draft SEIS, including eliminating grazing on inactive, vacant allotments in desert tortoise habitat, and considering eliminating grazing in Desert Wildlife Management Areas (DWMA). We have concerns, however, regarding the potential impacts associated with motorized routes near sensitive resources, including sensitive receptors, riparian areas, and areas prone to erosion.

We recommend that the BLM reduce the mileage of routes close to sensitive resources and consider adopting the route network proposed for Alternative 2 (Resource Conservation Enhancement), the alternative that emphasizes protection of physical, biological, and heritage resources. We also recommend that the BLM ensure that the Final SEIS is consistent with the Council on Environmental Quality's recently released "Revised Draft Guidance for Federal Departments and Agencies on Consideration of Greenhouse Gas Emissions and the Effects of Climate Change in NEPA Reviews." Our detailed comments are enclosed.

We appreciate the opportunity to review this Draft SEIS, and are available to discuss our comments. When the Final SEIS is released for public review, please send one hard copy and one CD to the address above (mail code: ENF-4-2). If you have any questions, please contact me at 415-972-3521, or Jason Gerdes, the lead reviewer for this project. Mr. Gerdes can be reached at 415-947-4221 or [gerdes.jason@epa.gov](mailto:gerdes.jason@epa.gov).

Sincerely,

  
 Kathleen Martyn Goforth, Manager  
Environmental Review Section

Enclosures: Summary of EPA Rating Definitions  
EPA Detailed Comments

## **SUMMARY OF EPA RATING DEFINITIONS \***

This rating system was developed as a means to summarize the U.S. Environmental Protection Agency's (EPA) level of concern with a proposed action. The ratings are a combination of alphabetical categories for evaluation of the environmental impacts of the proposal and numerical categories for evaluation of the adequacy of the Environmental Impact Statement (EIS).

### **ENVIRONMENTAL IMPACT OF THE ACTION**

#### ***"LO" (Lack of Objections)***

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

#### ***"EC" (Environmental Concerns)***

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

#### ***"EO" (Environmental Objections)***

The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

#### ***"EU" (Environmentally Unsatisfactory)***

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potentially unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

### **ADEQUACY OF THE IMPACT STATEMENT**

#### ***"Category 1" (Adequate)***

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

#### ***"Category 2" (Insufficient Information)***

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analysed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

#### ***"Category 3" (Inadequate)***

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analysed in the draft EIS, which should be analysed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

\*From EPA Manual 1640, Policy and Procedures for the Review of Federal Actions Impacting the Environment

**U.S. EPA DETAILED COMMENTS ON THE DRAFT WEST MOJAVE ROUTE NETWORK PROJECT AND SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT, INYO, KERN, LOS ANGELES, RIVERSIDE, AND SAN BERNARDINO COUNTIES, CALIFORNIA, JUNE 3, 2015**

**Impacts to Sensitive Resources**

The BLM proposes, in the Preferred Alternative (Alternative 3 – Public Lands Access) identified in the Supplemental Environmental Impact Statement (Draft SEIS), 10,428 miles of motorized routes (p. 2-70). The network of motorized routes in the Preferred Alternative would have the “lowest mileage of closed routes” (p. ES-20), with an emphasis on “monitoring of fewer route closers and management of a larger network” (p. 2-40). The extent of motorized routes within the Preferred Alternative is almost twice the size of the existing network (5,338 miles), and the other proposed action alternatives (represented by Alternative 2 – Resource Conservation Enhancement with 4,293 miles; and Alternative 4 – Community Access Enhancement with 5,782 miles) (p. 2-86).

The miles of motorized routes proposed in the Preferred Alternative would be closer to sensitive resources, resulting in greater impacts (as identified in the SEIS) than any of the other action alternatives. The Preferred Alternative has the “highest mileage of routes near sensitive receptors” (p. ES-11) and “localized air quality impacts” that would be “moderately higher than the impacts from the No Action Alternative, and substantially higher than under Alternative 2” (p. 4.2-14). Additionally, the Preferred Alternative would have the highest mileage of motorized routes in close proximity to washes, riparian areas, springs, and erosion-prone areas (p. 4.3-41), thus the “largest magnitude of direct, adverse impacts to geology, soil, and water resources, and the largest contribution to cumulative impacts” (p. ES-12). Finally, the Preferred Alternative would have the highest mileage of motorized routes “in close proximity to sensitive vegetation communities, special status plants” (p. ES-13), identified wildlife areas, and cultural resources (p. ES-19).

*Recommendations:*

- Reduce the miles of “open” motorized routes in the Preferred Alternative so that there would be fewer total miles of routes close to sensitive resources. Consider adopting, and identifying in the Final SEIS, a route network more similar to that proposed in Alternative 2 (Resource Conservation Enhancement), the alternative that would close more routes and emphasizes protection of physical, biological, and heritage resources.

**Climate Change**

On December 24, 2014, the Council on Environmental Quality revised draft guidance that describes how federal departments and agencies should consider the effects of greenhouse gas emissions and climate change in their NEPA reviews and outlines an approach for analysis of these issues in an EIS. We note that Chapter 4 of the Draft SEIS determines that “the designation of the transportation network under the WMRNP alternatives would have no discernible effect on the volume of motorized vehicle use, and therefore no effect on associated GHG emissions”. In light of the CEQ guidance, it may be helpful to calculate the GHG emissions for the proposed action and alternatives, if easily accomplished, to ensure the decisionmaker has the information needed to take into account consideration of potential mitigation measures to reduce GHG emissions.

*Recommendations:*

- In the Final SEIS, update the sections regarding climate change impacts to reflect the CEQ draft guidance.

- Describe any measures that would be undertaken to improve the adaptability and resilience of the proposed Project to climate change.